

EASTERN IOWA PLASTICS, INC.,)
)
 Plaintiff,)
 vs.)
)
 PI, INC.,)
)
 Defendant.)

ORDER

Plaintiff Eastern Iowa Plastics, Inc. (EIP) has two claims of ownership of the disputed trademark: (1) by assignment in an October 31, 1997, Asset Purchase Agreement from the prior owner, KenTech Plastics, and (2) by first use in commerce. However, the trademark in issue was not listed in the "Transferred Asset" definition in the Asset Purchase Agreement. PI claims KenTech also sold assets to it in a contract which

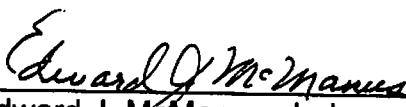
has been "lost to time". This raises a disputed issue of material fact as to whom KenTech sold the trademark, if either.

It is therefore

ORDERED

Denied.

June 11, 2014



Edward J. McManus, Judge
UNITED STATES DISTRICT COURT